

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

10/815,929

Confirmation No. 9415

**Applicant** 

Chien-Hsuan HAN et al.

Filed

April 2, 2004

TC/Art Unit

1645

Examiner

Unassigned

Docket No.

49393-00006

Customer No.

23767

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.56(b)

Commissioner for Patents Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 C.F.R. § 1.56. Copies of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §§ 1.97-1.98.

As provided in 37 C.F.R. § 1.98(e) and/or M.P.E.P. 609 III(A)(2)(A), copies of the U.S. Patents and the published U.S. Application listed on Form PTO/SB/08A are not being provided as the instant application was filed after June 30, 2003.

The submission of any document herewith is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against claims of the present application.

The Information Disclosure Statement is being filed prior to the mailing of the first Office Action. Accordingly, it is believed that no fee is due at this time.

Atty. Docket No. 49393-00006

Serial No. 10/815,929

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. § 609.

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The Commissioner is hereby authorized to charge any deficiency or credit any overpayment associated with the filing of this paper to undersigned's Deposit Account No. 50-1067.

Respectfully submitted,

August 3, 2004

Lawrence M. Sung Reg. No. 38,330

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PTO/SB/08A (10-01)

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Approved for use through 10/31/2002.OMB 0651-0031
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Complete if Known Substitute for form 1449A/PTO 10/815,929 **Application Number** INFORMATION DISCLOSURE April 2, 2004 Filing Date STATEMENT BY APPLICANT Chien-Hsuan HAN et al. First Named Inventor Art Unit 1645

(use as many sheets as necessary)

49393-00006 Sheet 1 of 1 Attorney Docket Number

	U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
	A1	4.764.380	08/16/1988	Urguhart et al.	Figures Appeal		
	A2	4.996.058	02/26/1991	Sinnreich			
	A3	5,091,184	02/25/1992	Khanna			
	A4	5,651,985	07/29/1997	Penners et al.			
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	A7	2003-0228360 A1	12/11/2003	Han et al.			

		FOREI	GN PATENT	DOCUMENTS		
Examiner Initials*	Cite No.1	Foreign Patent Document  Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T⁵
	A8	WO 03/101432 A1	12/11/2003	Impax Laboratories, Inc.		-
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Applicant's unique citation designation number (optional). <sup>2</sup> See attached Kinds Codes of USPTO Patent Documents at <a href="www.uspto.qov">www.uspto.qov</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

	OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS	
Cite No.1 Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title No.1 item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue of publisher, city and/or country where published.		T²
A9	AISEN ET AL., 15(4) JOURNAL OF THE AMERICAN PARAPLEGIA SOCIETY 211-216 (1992).	
A10	BALERIO ET AL., 27(7) GEN. PHARMAC. 1269-1271 (1996).	
A11	BALERIO ET AL., 27(3) EUROPEAN JOURNAL OF DRUG METABOLISM AND PHARMACOKINETICS 163-169 (2002).	
A12	CERCOS-FORTEA ET AL., 16 BIOPHARMACEUTICS & DRUG DISPOSITION 563-577 (1995).	
A13	MERINO ET AL., 10 BIOPHARMACEUTICS & DRUG DISPOSITION 279-297 (1989).	
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A15	NACHER ET AL., 15 BIOPHARMACEUTICS & DRUG DISPOSITION 373-382 (1994).	
A16	SCHAPIRO, CURRENT NEUROLOGY AND NEUROSCIENCE REPORTS 299-302 (2001).	
A17	Wuis et al., 12(2) Pharmaceutisch Weekblad Scientific Edition 71-74 (1990).	
A18	"DATA SHEET: APO BACLOFEN"  http://www.medsafe.govt.nz/profs/datasheet/a/apobaclofentab.htm June 1999.	
	A9 A10 A11 A12 A13 A14 A15 A16 A17	Cite No.¹ Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.  A9 AISEN ET AL., 15(4) JOURNAL OF THE AMERICAN PARAPLEGIA SOCIETY 211-216 (1992).  A10 BALERIO ET AL., 27(7) GEN. PHARMAC. 1269-1271 (1996).  A11 BALERIO ET AL., 27(3) EUROPEAN JOURNAL OF DRUG METABOLISM AND PHARMACOKINETICS 163-169 (2002).  A12 CERCOS-FORTEA ET AL., 16 BIOPHARMACEUTICS & DRUG DISPOSITION 563-577 (1995).  A13 MERINO ET AL., 10 BIOPHARMACEUTICS & DRUG DISPOSITION 279-297 (1989).  A14 MOLL-NAVARRO ET AL., 85(11) JOURNAL OF PHARMACEUTICAL SCIENCES 1248-1254 (1996).  A15 NACHER ET AL., 15 BIOPHARMACEUTICS & DRUG DISPOSITION 373-382 (1994).  A16 SCHAPIRO, CURRENT NEUROLOGY AND NEUROSCIENCE REPORTS 299-302 (2001).  A17 WUIS ET AL., 12(2) PHARMACEUTISCH WEEKBLAD SCIENTIFIC EDITION 71-74 (1990).  "DATA SHEET: APO BACLOFEN"

Examiner	Date	
Signature	Considered	 

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